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June 17, 2025

Application GRANTED. The Court adopts the changes to the PSR as described below. The Clerk of Court is respectfully directed to terminate the motion at Dkt. 18.

Honorable Arun Subramanian
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

SO ORDERED.



Arun Subramanian, U.S.D.J.

Dated: June 26, 2025

Re: United States v. Avraham Eisenberg
24 Cr. 251 (AS)

VIA ECF

Dear Judge Subramanian:

As a result of the Judgment of Acquittal entered by the Court on May 28, 2025 vacating defendant Avraham Eisenberg's ("Eisenberg") convictions on Counts One and Two of the Indictment and acquitting him of Count Three, he respectfully requests that the Presentence Investigation Report ("PSR") be amended accordingly. After discussion with the Probation Department ("Probation") and the government, the parties agree that any amendment of the PSR can only be executed pursuant to a Court Order. For this reason, Eisenberg respectfully requests that the Court issue an Order permitting the PSR be amended as described below. The government consents to the requested amendments of the PSR.¹

Attached as Exhibit A is a copy the current PSR that contains red boxes around the segments of the PSR that the parties agree should be removed. Additionally, Eisienberg respectfully requests that the Guidelines calculation, and all references thereto, within the PSR be amended to reflect the calculation announced by the Court at his sentencing hearing which included the three point reduction for acceptance of responsibility (for the Court's convenience, the sentencing minutes are attached as Exhibit B).

Probation's sentencing recommendation on page 39, the Special Assessment and Restitution amounts on page 34, the forfeiture amount on page 46 Appendix A, "Judiciary

¹ The government reserves its right to seek to reinstate the original PSR following the resolution of any appeal.

Sentencing Information” and the sentencing recommendation (if deemed appropriate by Probation) also require amendment based on the Order.

Thank you for Your Honor’s consideration of this application.

Very truly yours,

Sanford Talkin
Sanford Talkin

cc: All counsel (BY ECF)